

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: STERICYCLE, INC., STERI-SAFE)	
CONTRACT LITIGATION)	Case No. 13 C 5795
)	MDL No. 2455
)	
)	

MEMORANDUM ORDER

This action, assigned (together with a number of individual satellite actions) to this Court by the Judicial Panel on Multidistrict Litigation, has been the subject of plaintiffs' motion for class certification since January 29 of this year. On May 10 this Court entered an order staying proceedings pending mediation at the request of the parties. Although the parties engaged in mediation, while at the same time fleshing out the substantive development of the MDL case, those mediation efforts failed to produce an agreed-upon resolution.

That posture has triggered a joint motion (Dkt. No. 184) to set a briefing schedule on the pending motion for class certification, calling for the August 29 filing of a submission in opposition by defendant Stericycle, Inc. ("Stericycle") and a September 29 reply by plaintiffs. That part of the parties' proposed timetable is entirely satisfactory, but long experience has taught this Court that the automatic scheduling of a one-two-three timetable, with a reply by the movant built in, often makes no sense (particularly where, as here, both sides are well represented by experienced counsel). In a high percentage of cases in that situation, the parties will have met head-on in their submissions in support of and opposition to such a motion, with no real need for a reply by the movant -- all too often a previously-scheduled reply produces little more than regurgitation of points made by the movant the first time around.

Accordingly this Court simply orders that the Stericycle opposition be filed on or before August 29, with a status hearing set for 9 a.m. September 6, 2016. That timetable will allow plaintiffs' counsel and this Court to review Stericycle's response to see whether a reply appears to be called for. If plaintiffs' counsel see no need for a reply, they should communicate that view to Stericycle's counsel and to this Court's courtroom deputy in time for the scheduled status hearing to be vacated, without any need for counsel to appear -- but if this Court were to determine independently that it would be constructive to order a reply, its courtroom deputy would communicate with counsel for the parties in advance of the scheduled status date and they would be expected to appear at that time.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: July 25, 2016